

**Proclamation 6948—To Modify Provisions on Upland Cotton and for Other Purposes**

*October 29, 1996*

*By the President of the United States of America*

**A Proclamation**

1. (a) Presidential Proclamation 6301 of June 7, 1991, implemented import quotas for upland cotton by adding U.S. note 6 and subheadings 9903.52.01 through 9903.52.20 to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (“the HTS”).

(b) U.S. note 6(a) to subchapter III of chapter 99 of the HTS provides that whenever the Secretary of Agriculture (“the Secretary”) determines and announces that specified conditions relating to the price of upland cotton exist, there shall be in effect, as of the effective date of such announcement, a special import quota applicable to upland cotton purchased not later than 90 days after the effective date of the Secretary’s announcement and entered into the United States not later than 180 days after such date. U.S. note 6(a) further provides that a new 180-day quota period may be established that overlaps any existing quota period announced under paragraph (a) of the note, unless a quota period has been established under paragraph (b) of the note.

(c) Subheadings 9903.52.01 through 9903.52.20 cover entries of upland cotton under 20 consecutively numbered announcements by the Secretary pursuant to U.S. note 6(a). Thus, the 180-day effective period of a special upland cotton import quota established under a particular announcement may still be in effect when the same announcement number may be assigned with respect to a different but overlapping quota period.

(d) To avoid such overlap, and to permit the effective administration of these quotas by the U.S. Customs Service, I have decided that it is necessary and appropriate to provide six additional HTS subheadings corresponding to six additional announcements by the Secretary.

2. (a) Presidential Proclamation 6641 of December 15, 1993, implemented the North

American Free Trade Agreement (“the NAFTA”) with respect to the United States and incorporated in the HTS the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

(b) Article 303 of the NAFTA provides for the amount of customs duties that may be claimed as drawback on goods originating outside the NAFTA region that are traded between the NAFTA Parties. Article 307.2 of the NAFTA provides that each Party shall grant temporary duty-free admission to specified goods when imported from the territory of another Party, regardless of the origin of such goods, for repair or alteration. Among the modifications to the HTS set forth in Annex II to Proclamation 6641 was a new paragraph (c) of U.S. note 1 to subchapter XIII of chapter 98 of the HTS, which was intended to give effect to the provisions of Articles 303 and 307.2 of the NAFTA insofar as they are applicable to articles to be repaired, altered, or processed that are admitted temporarily free of duty under bond. Such new paragraph (c) does not reflect clearly that the provisions of Article 307.2 of the NAFTA apply to goods imported from a NAFTA Party, regardless of their origin, for repair or alteration.

(c) Accordingly, I have decided that it is appropriate to modify paragraph (c) of U.S. note 1 to subchapter XIII of chapter 98 of the HTS to clarify implementation of the provisions of Article 307.2 of the NAFTA.

(d) Certain provisions set forth in Annexes to Proclamation 6641 contain technical errors in the instructions for implementing particular modifications. To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

3. (a) Sections 1102(a) and (e) of the Omnibus Trade and Competitiveness Act of 1988 (“the 1988 Act”) (19 U.S.C. 2902(a) and (e)) authorize the President to enter into trade agreements and to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment or such additional duties, as he determines to be required or appropriate to carry out any such trade agreement. In addition, section 111(a) of the Uruguay Round Agreements Act (“the URAA”) (19 U.S.C. 3521(a)) authorizes the President to

proclaim such other modifications of any duty, such other staged rate reduction, or such additional duties as the President determines to be necessary or appropriate to carry out Schedule XX-United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX"). Presidential Proclamation 6763 of December 23, 1994, implemented with respect to the United States the trade agreements resulting from the Uruguay Round of multilateral trade negotiations, including Schedule XX.

(b) Certain provisions set forth in Annexes to Proclamation 6763 contain technical errors in the instructions for implementing particular modifications. To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

4. (a) Presidential Proclamation 6821 of September 12, 1995, established a tariff-rate quota on certain tobacco and eliminated tariffs on certain other tobacco by adding additional U.S. note 5 and various subheadings to chapter 24 of the HTS. Additional U.S. note 5 to chapter 24 of the HTS provides that the tariff-rate quota applies to the aggregate quantity of tobacco entered, or withdrawn from warehouse for consumption, under enumerated HTS subheadings from specified countries or areas, except that products of Canada, Israel, or Mexico are not permitted or included under such quantitative limitation. I intended that tobacco entered with claims of eligibility for the tariff treatment under any provision of chapter 98 of the HTS and tobacco entered for marketing to the ultimate consumer as hand-rolled cigarettes would not be counted toward the in-quota quantity provided for in additional U.S. note 5 of the HTS.

(b) I have decided, in order to clarify the status of such importations with respect to the tariff-rate quota, that it is appropriate to modify the provisions of additional U.S. note 5 to chapter 24 of the HTS to ensure that such goods are properly classified.

(c) Certain provisions of the HTS were modified in Proclamation 6821 to correct certain technical errors that were made in Proclamation 6763. However, an error was made in the spelling of a chemical in Annex

II to Proclamation 6821, and I have decided to correct this error.

5. (a) Presidential Proclamation 6857 of December 11, 1995, implemented with respect to the United States modifications in the HTS that I determined were in conformity with the obligations of the United States under the International Convention on the Harmonized Commodity Description and Coding System and did not run counter to the national economic interest of the United States.

(b) Such proclamation also modified the rules of origin set out in the NAFTA in order to ensure that the tariff and certain other treatment accorded under the NAFTA would continue to be given to NAFTA originating goods.

(c) Certain provisions set forth in Annexes to Proclamation 6857 contain technical errors in the instructions for implementing particular modifications. To clarify the intent of the modifications previously proclaimed, I have decided to correct such technical errors.

6. Section 604 of the Trade Act of 1974, as amended ("the 1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

**Now, Therefore, I, William J. Clinton,** President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 604 of the 1974 Act, sections 1102(a) and (e) and 1206(a) of the 1988 Act, sections 201 and 202 of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3331 and 3332), sections 111(a) and 423 of the URAA (19 U.S.C. 3521 and 3621), and section 136(b) of the Federal Agriculture Improvement Act of 1996 (7 U.S.C. 7236) do proclaim that:

(1) Subheadings 9903.52.21 through 9903.52.26, as set forth in Annex I to this proclamation, are hereby inserted in numerical sequence in subchapter III of chapter 99 of the HTS, and shall become effective with respect to articles entered, or withdrawn

from warehouse for consumption, as of the dates and under the terms that may be set forth in the Secretary's special quota announcements pertaining to such subheadings.

(2) In order to clarify the intent of modifications previously proclaimed in certain Annexes to Proclamations 6641, 6763, 6821, and 6857, the HTS and the Annexes to such proclamations are modified as provided in Annex II to this proclamation.

(3) The modifications made by the Annexes to this proclamation shall be effective on the dates set forth in such Annexes.

(4) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions and provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(5) This proclamation shall be effective upon publication in the *Federal Register*.

**In Witness Whereof**, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord nineteen hundred and ninety-six, and of the Independence of the United States of America the two hundred and twenty-first.

**William J. Clinton**

[Filed with the Office of the Federal Register, 11:53 a.m., October 30, 1996]

NOTE: This proclamation and the attached annexes were published in the *Federal Register* on October 31.

### **Remarks at the Presentation of the Henry Ossawa Tanner Painting**

*October 29, 1996*

Let me just say, very briefly, I want to thank Dr. Rae Alexander-Minter for her moving tribute and for making this possible. I want to thank her mother for taking good care of this picture.

Thank you, Edward Bell, for being a good American citizen and asking questions, which is what we need our citizens to do. Thank you, Rex Scouten; and thank you, David Driskell; thank you to the late Sylvia Williams. I'd also like to thank my wife for her insistence that we take up Mr. Bell's suggestion.

Tonight is a happy night for us, to be here, to be a part of this. Tonight reminds us, in all humility, that we are simply tenants here passing through—even though we're trying to get our lease renewed at the moment. [Laughter] There is, in any case, a limit on the lease, and it's a very short period in the very long life of our great country.

And in so many ways, everything that represents America sooner or later has to come to represent a better America, has to come to reflect our ongoing journey. And I was thinking tonight that Thomas Jefferson, whose statue looks directly into the second floor Oval Room, right above us here, would be smiling. You know, on the memorial they have that wonderful quote, when Jefferson said, "When I think of slavery, I tremble to think that God is just." He knew better. And it took us a long time to come to grips with all that.

And this magnificent artist whom we honor tonight had to live in the afterwash of the Civil War and our continuing struggle to come to grips with our obligations as a people, both moral and constitutional. Now, a long time after that and too long in coming, this great painting will hang in the Green Room and over 1½ million visitors will see it every year. Most of them, but not all of them, will be Americans. Of the Americans, they will come from more than African-American and Caucasian-American stock. They will now come from a myriad of racial and ethnic and religious groups. But when they stop in the Green Room and look at this beautiful work of art, they will know that America here in the people's house is moving again toward its ultimate destiny and living closer to its ideals.

To all of you who have made that possible, I thank you. I thank you for being here tonight. And I ask you now to join us in the reception. Thank you very, very much.

NOTE: The President spoke at 6:52 p.m. in the East Room at the White House. In his remarks, he referred to Rae Alexander-Minter, grandniece of the artist and former owner of the painting *Sand Dunes at Sunset, Atlantic City*; Edward Bell, who wrote the President informing him that no works of African-American artists were included in the White House collection; Rex Scouten, White House Curator; David Driskell, expert on